



## United States Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/931,962	08/16/2001	Yoshio Fukuhara	70840-56398	5416	
21874 75	590 06/23/2006		EXAMINER		
EDWARDS & ANGELL, LLP			WONG, ALLEN C		
P.O. BOX 55874 BOSTON, MA 02205			ART UNIT PAPE		
•			2621	٠.,	
		DATE MAILED: 06/23/2006			

Please find below and/or attached an Office communication concerning this application or proceeding.

## **Advisory Action**

Application No.	Applicant(s)		
09/931,962	FUKUHARA ET AL.		
Examiner	Art Unit		
Allen Wong	2621		

Before the Filing of an Appeal Brief			
Before the Filling of all Appeal Brief	Examiner	Art Unit	
	Allen Wong	2621	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	iress
THE REPLY FILED 15 June 2006 FAILS TO PLACE THIS APP	PLICATION IN CONDITION FOR A	LLOWANCE.	
<ol> <li>The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appelor Continued Examination (RCE) in compliance with 37 Comperiods:</li> <li>The period for reply expires 3 months from the mailing date</li> </ol>	replies: (1) an amendment, affidavited (with appeal fee) in compliance of the compliance of the filed of the	t, or other evidence, w with 37 CFR 41.31; or	which places the r (3) a Request
b) The period for reply expires on: (1) the mailing date of this A		in the final rejection, wh	ichever is later Ir
no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or	ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	ion.
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7 Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ice action: or (2) as
2. The Notice of Appeal was filed on A brief in comp	liance with 37 CEP 41 27 must be f	ilad within two manth	a af tha data af
filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed wi	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	appeal. Since a
3. X The proposed amendment(s) filed after a final rejection, t	out prior to the date of filing a brief.	will not be entered be	cause
(a) They raise new issues that would require further con	nsideration and/or search (see NOT	E below);	
(b) They raise the issue of new matter (see NOTE below			
(c) They are not deemed to place the application in bett	ter form for appeal by materially red	lucing or simplifying th	ne issues for
appeal; and/or			
(d) They present additional claims without canceling a c		cted claims.	
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1			
<ul> <li>4.  The amendments are not in compliance with 37 CFR 1.12</li> <li>5.  Applicant's reply has overcome the following rejection(s):</li> </ul>	21. See attached Notice of Non-Con	npliant Amendment (F	<sup>2</sup> TOL-324).
<ol> <li>Newly proposed or amended claim(s) would be all non-allowable claim(s).</li> </ol>	owable ir submiπed in a separate, t	imely filed amendmer	it canceling the
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is proved the status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:	☑ will not be entered, or b) ☐ will rided below or appended.	be entered and an ex	cplanation of
Claim(s) rejected: <u>1-8</u> .			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE	•		
<ol> <li>The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	sufficient reasons why the affidavit	or other evidence is	necessary and
9. The affidavit or other evidence filed after the date of filing a because the affidavit or other evidence failed to overcome good and sufficient reasons why it is necessary and was not a sufficient reasons.	all rejections under appeal and/or a	appellant fails to provi	ill <u>not</u> be entered de a showing a
<ol> <li>The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER</li> </ol>		•	
11.   The request for reconsideration has been considered but	does NOT place the application in	condition for allowand	e because:
12. Note the attached Information Disclosure Statement(s). (	PTO/SB/08 or PTO-1449) Paper N	o(s).	
13. Other:		111/11/11/11	7
	$\mathcal{C}$	Allen Wong Primary Examiner	7

Art Unit: 2621

Continuation of 3. NOTE: The proposed amendment to claim 1 would require further search and consideration.